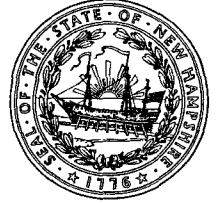




State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-2147 FAX (603) 271-6588



**LETTER OF DEFICIENCY
WET 05-38**

November 03, 2005

Gordon M Thomas
192 Centre St
Danvers, MA 01923

RE: DES Wetlands File #2000-02732 Loon Cove Rd, Alton

Dear Mr. Thomas:

On August 22, 2005, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, more specifically referenced on Town of Alton Tax Map 49 as Lot 39 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and NH Code of Admin. Rules Wt 100-800.

During the inspection the following deficiencies were documented:

1. Fill comprised of stones and sand was placed in Lake Winnepesaukee for the construction of a beach area below the normal high water mark.

In response, you are requested to take the following actions:

1. Within 30 days of receipt of this Letter of Deficiency, submit a restoration plan to DES for review and approval. Have the restoration plan prepared by a qualified environmental consultant, and include provisions for complete removal of the stone fill and sand placed below the normal high water mark and lakeward of the shoreline on the Property. Submit the following with the restoration plan:
 - a. A plan with dimensions, drawn to scale, showing:
 1. Existing conditions, with wetland boundaries and the high water mark; and
 2. Proposed conditions after reestablishing the jurisdictional areas;
 - b. A detailed description of the proposed means of erosion control (silt fence, hay bales, turbidity controls) and stabilization of the restoration area;
 - c. A description of the proposed construction sequence and methods for accomplishing restoration and anticipated restoration compliance date.
2. Retain a qualified environmental consultant to supervise the implementation of the restoration plan and to submit the restoration progress reports.
3. Implement the restoration plan only after receiving written approval and as conditioned by DES.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to

wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel will conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Jeffrey D. Blecharczyk, Shoreland Compliance Coordinator
Wetlands Bureau
Department of Environmental Services
29 Hazen Drive
PO Box 95
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact Jeffrey D. Blecharczyk at (603) 271-6876 or by email at jblecharczyk@des.state.nh.us.

Sincerely,



Collis G. Adams, CWS
Administrator
Wetlands Bureau

CERTIFIED MAIL 7005 0390 0001 8424 2993

cc: Rene Pelletier, Manager, Land Resources Management Program
Gretchen R. Hamel, Administrator, DES Legal Unit ✓
Alton Conservation Commission
Alton Board of Selectmen
USACOE